

Division of Dockets Management
(HFA-305)
Food and Drug Administration
5630 Fishers Lane, Room 1061
Rockville, MD 20852

VIA ELECTRONIC MAIL

August 13, 2004

**Re: Docket No. 2004N-0264, Federal Measures to Mitigate BSE Risks:
Consideration for Further Action**

To Whom It May Concern:

This comment is submitted by the Northeast Ag and Feed Alliance, which represents the livestock feed manufacturers of New York State, New England, and to some extent in Pennsylvania. Our organization, which was created on February 2004 through the "merger" of the New England Grain and Feed Council and New York State's Eastern Federation of Feed Merchants, also includes over 200 suppliers to the livestock feed industry, located throughout the United States and Canada.

The views set forth below are based upon input from individual members and also discussions held on this subject at our Ruminant Health and Nutrition Conference held in Syracuse NY March 30, 2004 and our New England Dairy Feed Conference held in West Lebanon, NH on April 1, 2004.

Our organization has neither the technical expertise nor the research capacity to comment in great length or detail. In this regard, therefore, we defer to and support the comments submitted by the American Feed Industry Association, of which we are an active member, and whose current Chairman and future CEO is at present the CEO of one of our own organization's principal members. Since issuance of the proposed rule in January 2004, we have been in frequent contact with American Feed Industry Association; we have also reviewed the comments submitted to FDA today by AFIA.

In addition, however, we would like to offer the following regional perspectives:

1. **We commend the FDA for the strong approach taken to date on this subject.** In one state, New York, our Alliance has been working for the past several years with a state legislative committee (the NYS Assembly's Committee on Agriculture) to avoid a state "mini-FDA" approach to BSE regulation, which would be duplication at best, and potentially confusing, contradictory, and expensive. The FDA's approach since the December detection of BSE in a cow in the U.S. has persuaded concerned members of the Assembly Committee that state action in NYS is probably not necessary.
2. **The proposed SRM ban would, in enacted, have severe economic impact upon the dairy farmers of our region.** The AFIA comment outlines the rationale against such a ban. One of our members participated actively in the Harvard Risk Assessment and believes the proposed ban would be counterproductive. We are

2004N-0264

C 101

opposed to an action which is of dubious value and will add to the already difficult economic burdens confronting our region's dairy producers, who are far and away our most important customers.

3. **A requirement for dedicated equipment for transport of certain materials would be extremely expensive to our industry.** More than other regions, the Northeast depends upon importation of ingredients. The cost of duplicative infrastructure for transportation would be staggering.
4. **The proposed elimination of bovine blood meal from ruminant diet appears not to be based upon science, and would have a high cost. We are therefore opposed to this approach.** A study related to New England dairy herds done in 2002 projects the cost of such a ban to be 40 cents/cow/day. Absent any scientific justification for such a ban, this cost is unacceptable. In addition, we are opposed to a measure which would significantly undermine our ability to reduce Johne's Disease, a major focus of cattle health programs in our region (and an important provision of the 2002 federal Farm Bill, to which considerable federal funds are now being directed).

We appreciate your attention to these comments.

Sincerely,



William A. Bell
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